

**MINUTES**  
**REGULAR MEETING OF THE CITY COUNCIL**  
**CITY OF MEMPHIS**

**January 6, 2015**

**3:30 P.M. SCHEDULED SESSION**

**3:32 P.M. MEETING COMMENCED**

**ROLL CALL:** William Boyd, Joe Brown, Harold Collins, Kemp Conrad, Shea Flinn, Edmund Ford, Jr., Wanda Halbert, Lee Harris, Reid Hedgepeth, Bill Morrison, Jim Strickland and Chairman Myron Lowery. Janis Fullilove was absent.

**THE MEETING WAS CALLED TO ORDER  
BY SERGEANT-AT-ARMS**

**INVOCATION**

The meeting was opened with prayer by Dr. Rosalind Nichols. Councilwoman Halbert presented Dr. Nichols with a certificate naming her Chaplain of the day.

**These minutes record the agenda items and the action taken by the Council on such items. The full text of the original of the ordinances, resolutions and supporting documents, including an audio recording of Council's deliberations are filed and maintained in the office of Council Records/Records Management, Room 2B-08. The original ordinances and/or resolutions adopted by the Council shall control in the event of any conflict between the description in these minutes and the original documents, ordinances and/or resolutions.**

**MINUTES**

Approval of the Minutes of the regular meeting of December 16, 2014 with the following motion:

**MOTION:** Ford  
**SECOND:** Hedgepeth  
**AYES:** Boyd, Brown, Collins, Conrad, Flinn, Ford, Halbert, Harris, Hedgepeth, Morrison, Strickland and Chairman Lowery  
Fullilove was absent

**APPROVED**

1. **RESOLUTION ESTABLISHING THE BEALE STREET TOURISM DEVELOPMENT AUTHORITY. THIS RESOLUTION IS SPONSORED BY ADMINISTRATION.**

Held until January 20, 2015

11. **APPOINTMENTS**

**MEMPHIS AND SHELBY COUNTY AIRPORT AUTHORITY**

**APPOINTMENT**

JIM ETHRIDGE

Held until January 20, 2015

13. **ORDINANCE AMENDING THE TAXI ORDINANCE, UP FOR T H I R D AND F I N A L READING. ORDINANCE NO. 5578 SPONSORED BY COUNCILMAN KEMP CONRAD AND COUNCILMAN MYRON LOWERY.**

Held until January 20, 2015

14. **ORDINANCE TO SET FOURTH UNIFORM REQUIREMENTS FOR TRANSPORTATION NETWORK SERVICES; TO DEFINE TRANSPORTATION NETWORK SERVICES, APPLICATIONS, COMPANIES, AND OPERATORS AND TO CREATE REGISTRATION PROVISIONS FOR OPERATORS; AND TO PROVIDE FOR OTHER RELATED MATTERS,UP FOR T H I R D AND F I N A L READING. (HELD FROM 11/4; 11/18). ORDINANCE NO. 5569 TRANSPORTATION SPONSORED BY COUNCILMAN KEMP CONRAD AND CO-SPONSORED BY COUNCILMAN MYRON LOWERY.**

Held until January 20, 2015

**CONSENT AGENDA – Items 2 – 5 and Item #23 may be acted upon by one motion: SEE PAGE 3192 FOR ROLL CALL**

2. **ORDINANCE TO AMEND SECTION 13-8-5 OF THE CITY OF MEMPHIS, CODE OF ORDINANCES TO AUTHORIZE THE CITY TO REPAIR SEWER INFRASTRUCTURE DAMAGED BY THIRD PARTIES AND TO SEEK REIMBURSEMENT FOR SUCH REPAIR COSTS AND RESULTING DAMAGES, UP FOR F I R S T READING. ORDINANCE NO. 5579 IS SPONSORED BYCOUNCILMAN JIM STRICKLAND.**

**APPROVED,** on First reading

3. **RESOLUTION APPROVING FINAL PLAT OF ANGEL GREEN P.D.**

Case No. PD 14-305

Contract No. CR-5221

Resolution approves the final plat located on the southeast corner of I-240 and Shady Grove Road. Cost of the required improvements to be borne by the developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

**APPROVED**

4. **NOTATIONS FROM LAND USE CONTROL BOARD THAT THE FOLLOWING CASES WERE HEARD AND RECOMMENDATION MADE REQUESTING A DATE OF PUBLIC HEARING:**

- A. Case No. PD 14-308cc – Kings Pointe P.D., 2<sup>nd</sup> Amendment
- B. Case No. SUP 14-234
- C. Case No. SUP 14-236
- D. Case No. SUP 14-239

Public Hearing Set for January 20, 2015

5. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE FOR REVEREND HERBERT E. DAVENPORT, JR. THIS RESOLUTION IS SPONSORED BY COUNCILWOMAN JANIS FULLILOVE.**

**APPROVED**

23. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE FOR PH.**

**APPROVED****ROLL CALL CONSENT ITEM**

MOTION: Ford  
SECOND: Morrison  
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Halbert, Harris, Hedgepeth, Morrison, Strickland and Chairman Lowery  
Fullilove was absent

**APPROVED****MLGW FISCAL CONSENT – Items 6 - 10 may be acted upon by one motion:**

6. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11427, AUDIOLOG RECORDERS UPGRADE, WITH CAROLINA RECORDING SYSTEM, IN THE FUNDED AMOUNT OF \$166,500.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR ANNUAL MAINTENANCE SERVICES COVERING THE PERIOD NOVEMBER 1, 2015 THROUGH OCTOBER 31, 2020. THIS RENEWAL ALSO**

**ALLOWS MLGW TO LOCK IN FOR A FIXED RATE FOR ANNUAL MAINTENANCE FOR ALL AUDIOLOG PRODUCTS AT A RATE OF \$33,300.00 ANNUALLY.)**

**APPROVED**

7. **RESOLUTION APPROVING CHANGE NO. 10 TO CONTRACT NO. 10580, SERVICE AGREEMENT, WITH MOTOROLA, INCORPORATED, IN THE FUNDED AMOUNT OF \$47,759.16. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR AN ADDITIONAL ONE YEAR TERM FOR ANNUAL MAINTENANCE AND SUPPORT SERVICES COVERING THE PERIOD MARCH 1, 2015 THROUGH FEBRUARY 28, 2016, WITH NO INCREASE FROM THE PREVIOUS YEAR.)**

**APPROVED**

8. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11474, GENERATOR PREVENTATIVE MAINTENANCE AGREEMENT, WITH CUMMINS MID-SOUTH, LLC, IN THE FUNDED AMOUNT OF \$55,528.73. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE THIRD OF FOUR RENEWAL TERMS COVERING THE PERIOD JANUARY 21, 2015 THROUGH JANUARY 20, 2016, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR.)**

**APPROVED**

9. **RESOLUTION APPROVING RENEWAL OF COOPERATIVE AGREEMENT NO. 5447, INVESTIGATION OF WATER RESOURCES, FOR THE PERIOD OF JANUARY 1, 2015 TO DECEMBER 31, 2015, STIPULATING THAT A SUM OF \$57,000 WILL BE FURNISHED BY THE DIVISION AND A LIKE SUM WILL BE FURNISHED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR GEOLOGICAL SURVEY FOR CONTINUATION OF THE GROUND WATER DATA COLLECTION PROGRAM IN THE MEMPHIS AREA.**

**APPROVED**

10. **RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 9626, DATA PROCESSING/LICENSE AGREEMENT, WITH INNOVATION DATA PROCESSING, INCORPORATED, IN THE FUNDED AMOUNT OF \$7,134.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR ANNUAL SOFTWARE MAINTENANCE, LICENSE AND SUPPORT SERVICES COVERING THE PERIOD FEBRUARY 1, 2015 THROUGH JANUARY 31, 2016. THIS CHANGE REFLECTS A 3.63% INCREASE FROM THE PREVIOUS YEAR DUE TO AN INCREASE IN ANNUAL MAINTENANCE COSTS.)**

**APPROVED**

**MLGW ROLL CALL CONSENT ITEMS**

MOTION: Strickland  
SECOND: Boyd  
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Halbert, Harris, Hedgepeth,  
Morrison, Strickland and Chairman Lowery  
Fullilove was absent

**APPROVED**11. **APPOINTMENTS****MEMPHIS AND SHELBY COUNTY PLUMBING CODE BOARD****REAPPOINTMENT**

CARL A. DUNN

**MEMPHIS PUBLIC LIBRARY AND INFORMATION CENTER BOARD OF TRUSTEES****APPOINTMENTS**

DR. ROBERT LEMOYNE ROBINSON  
REVEREND BRIAN HENDERSON

MOTION: Flinn  
SECOND: Ford  
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Halbert, Harris, Hedgepeth,  
Morrison, Strickland and Chairman Lowery  
Fullilove was absent

**APPROVED**, with the exception of Jim Ethridge being held until January 20, 2015

12. **ORDINANCE TO REQUIRE APPROVAL FOR MLG&W CONTRACTS WITH OTHER MUNICIPALITIES, PARTICULARLY CONTRACTS INVOLVING COLLECTION OF VARIOUS MUNICIPAL CHARGES, UP FOR T H I R D AND F I N A L READING. (HELD FROM 12/2; 12/16). ORDINANCE NO. 5574 SPONSORED BY COUNCILMAN LEE HARRIS.**

MOTION: Harris  
SECOND: Halbert  
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Halbert, Harris, Hedgepeth,  
Morrison, Strickland and Chairman Lowery  
Fullilove was absent

**APPROVED**, as amended

15. **RESOLUTION AUTHORIZING \$250,000.00 FROM THE RESERVE FUND OR STORM WATER FUND (IF APPLICABLE), AND AN ADDITIONAL AMOUNT OF \$250,000.00 FROM SHELBY COUNTY GOVERNMENT TO ESTABLISH THE DISASTER RECOVERY ASSISTANCE PROGRAM. THIS RESOLUTION IS SPONSORED BY COUNCILMAN HAROLD COLLINS.**

MOTION: Harris

SECOND: Halbert

AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Halbert, Harris, Hedgepeth, Morrison, Strickland and Chairman Lowery  
Fullilove was absent

**APPROVED**

16. **RESOLUTION TO ACCEPT THE UNIVERSITY OF MISSISSIPPI NATIONAL FOOD SERVICE MANAGEMENT INSTITUTE (NFSMI) CHEFS STAY AFTER SCHOOL PROGRAM, A ONE-TIME AWARD OF A CHEF AND ALL MATERIALS AND SUPPLIES TO CONDUCT A ONE-HOUR CULINARY CLASS AT THREE (3) DIFFERENT COMMUNITY CENTERS. THIS RESOLUTION IS SPONSORED BY PARKS & NEIGHBORHOODS.**

MOTION: Boyd

SECOND: Halbert

AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Halbert, Harris, Hedgepeth, Morrison, Strickland and Chairman Lowery  
Fullilove was absent

**APPROVED**

17. **RESOLUTION TO ACCEPT 300 FREE COPIES OF THE PETER RABBIT BOOK, ON YOUR MARK, GET SET, HOP!, STAFF RESOURCES AND POSTERS, FROM THE NATIONAL RECREATION AND PARK ASSOCIATION (NRPA) ON BEHALF OF THE ALLIANCE FOR A HEALTHIER GENERATION (THE ALLIANCE). THIS RESOLUTION IS SPONSORED BY PARKS & NEIGHBORHOODS.**

MOTION: Boyd

SECOND: Strickland

AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Halbert, Harris, Hedgepeth, Morrison, Strickland and Chairman Lowery  
Fullilove was absent

**APPROVED**

18. **RESOLUTION AMENDING THE FISCAL YEAR 2015 OPERATING BUDGET BY ACCEPTING AND APPROPRIATING UP TO \$75,947.81 IN GRANT FUNDS FROM UNITED WAY OF METROPOLITAN NASHVILLE, PASSED THROUGH THE DIVISION OF PARKS AND NEIGHBORHOODS AND MEMPHIS PUBLIC LIBRARY AND INFORMATION CENTER FOR FOOD STAMP OUTREACH FOR LINC/2-1-1. THIS RESOLUTION IS SPONSORED BY PARKS AND NEIGHBORHOODS.**

MOTION: Boyd  
SECOND: Strickland  
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Halbert, Harris, Hedgepeth, Morrison, Strickland and Chairman Lowery  
Fullilove was absent

**APPROVED**

19. **RESOLUTION APPROPRIATING \$29,000.00 IN CONTRACT CONSTRUCTION, FUNDED BY G.O. BONDS GENERAL, PK07114 FOR IMPROVEMENTS TO OVERTON PARK. THIS RESOLUTION IS SPONSORED BY PARKS AND NEIGHBORHOODS.**

Council did include Parks Cover Line, CIP Project Number PK07114, as part of the FY 2015 Capital Improvement Program. The City of Memphis has entered into an agreement with the Overton Park Conservancy which provides for the use and payment of the current and future Capital Appropriation.

MOTION: Boyd  
SECOND: Hedgepeth  
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Halbert, Harris, Hedgepeth, Morrison, Strickland and Chairman Lowery  
Fullilove was absent

**APPROVED**

20. **RESOLUTION EXTENDING THE MORATORIUM ON THE ISSUANCE OF SIDEWALK NOTICES TO PROPERTY OWNERS FOR DAMAGED SIDEWALKS FOR SIX MONTHS OR SOONER IF THE ADMINISTRATION RETURNS WITH A PROCESS CONSISTENT WITH THE COUNCIL'S WISHES. THIS RESOLUTION IS SPONSORED BY PUBLIC WORKS & COUNCILMAN COLLINS.**

MOTION: Collins  
SECOND: Boyd  
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Halbert, Hedgepeth, Morrison, and Chairman Lowery  
NAY: Strickland  
Harris abstained

Fullilove was absent

**APPROVED**

21. **RESOLUTION AMENDING THE FY 2015 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION AND APPROPRIATING \$1,650,000.00 FUNDED BY CAPITAL PAY GO-SEWER IN REHAB EXISTING SEWERS, PROJECT NUMBER SW02001 IN INSTALL CIPP ANNUAL 2015, PROJECT NUMBER SW02131 TO REPAIR AND REHAB EXISTING DAMAGED SANITARY SEWER PIPE AT VARIOUS LOCATIONS. THIS RESOLUTION IS SPONSORED BY PUBLIC WORKS.**

MOTION: Hedgepeth

SECOND: Ford

AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Halbert, Harris, Hedgepeth, Morrison, Strickland and Chairman Lowery  
Fullilove was absent

**APPROVED**

22. **RESOLUTION TRANSFERRING \$100,000.00 FROM PW04007 (ADA CURB RAMPS) TO MATA AS THE 10% REQUIRED LOCAL MATCH FOR A \$1,000,000.00 NEW FREEDOM GRANT AWARDED TO MATA FOR THE PURPOSE OF CONSTRUCTING ADA CURB RAMPS. THIS RESOLUTION IS SPONSORED BY PUBLIC WORKS.**

MOTION: Hedgepeth

SECOND: Morrison

AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Halbert, Harris, Hedgepeth, Morrison, Strickland and Chairman Lowery  
Fullilove was absent

**APPROVED**

24. **RESOLUTION REQUESTING AN AUDIT BY SEGAL OF THE HEALTHCARE/OPEB FUNDS, FUNDED BY UP TO \$70,000.00 FROM THE HEALTHCARE FUND. THIS RESOLUTION IS SPONSORED BY COUNCILMAN JIM STRICKLAND.**

MOTION: Harris

SECOND: Ford

AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Halbert, Harris, Hedgepeth, Morrison, Strickland and Chairman Lowery  
Fullilove was absent

**APPROVED**



**(Councilman Ford made a motion to approve Same Night Minutes for Item #20 & #24 from tonight's meeting– Special Item #1)**

MOTION: Ford  
SECOND: Strickland  
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Halbert, Harris, Morrison,  
Strickland and Chairman Lowery  
Hedgepeth did not cast a vote  
Fullilove was absent

**APPROVED**

**INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:**

Chairman Lowery recognized the following people who spoke from the audience:

Minister Suhkara A. Yahweh, 870 McLemore, Memphis, TN. 38106  
Latricia Wilson, 2569 Union Avenue, Memphis, TN. 38112  
Walter Broady, III, 4256 Ledbetter Cove, Memphis, TN. 38109

**ADJOURNED MEETING AT 4:24 P.M.**

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Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.

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CHAIRMAN

Attest:

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Deputy Comptroller/Council Records